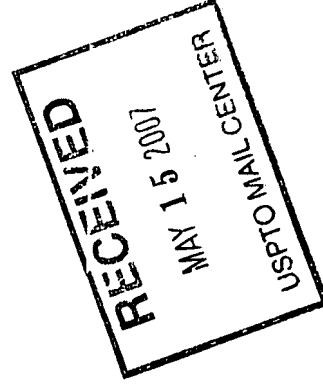


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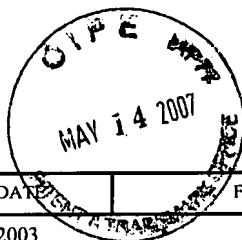


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,859	06/26/2003	Oren Kaidar	P-5753-US	1426

27130 7590 05/04/2007
EITAN, PEARL, LATZER & COHEN ZEDEK LLP
10 ROCKEFELLER PLAZA, SUITE 1001
NEW YORK, NY 10020

EXAMINER

SOL, ANTHONY M

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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05/04/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/603,859	KAIDAR ET AL.	
	Examiner	Art Unit	
	Anthony Sol	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objection

1. Claims 23-25 are objected to because of the following informalities:

For claim 23, line 1, it is suggested that phrase "An article comprising a storage medium" be replaced with "A computer-readable medium" in accordance with acceptable language in computer-processing related claims.

For claims 24-25, line 1, it is suggest that the word "The article" be replaced with "The computer-readable medium" in accordance with acceptable language in computer-processing related claims.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1- 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Pub.

No. US 2004/0066757 A1 ("Molteni").

Regarding claims 1, 8, 17, 20, 23, and 26,

Molteni discloses receiving packets on a wireless network (para. 110, *WLAN of the AP the frame was received from*). Molteni further discloses a mobile router comprising a dipole antenna (for claim 17 only, para. 189).

Molteni still further discloses determining from the received packets information regarding a channel (para. 125, *the WLAN database is updated from time to time by placing the station into RF monitor mode (passive scanning of channels) and updating the information in the WLAN database with new MAC frames*; para. 119, *If it is ascertained that the MAC frame... does not include a mobility agent advertisement*)

Molteni still further discloses if said information indicates the channel is not desirable, before an informational packet is received, switching to a different channel for scanning (fig. 2A, para. 119, *If it is ascertained that the MAC frame is not a beacon and does not include a mobility agent advertisement the process returns to wait state 203 to wait for another event such as new MAC frame arriving at the station*). Note that fig. 2A, block 201 (Place station into RF Monitor Mode) signifies that the station is continuously scanning different channels between the mobile station and the Aps.

4. Regarding claims 2, 6, 11, 15, 18, 22, 24, and 27,

Molteni discloses an ordering including received signal quality (para.122).

5. Regarding claims 3, 12, and 25,

Molteni shows in fig. 2A, block 209 (timer).

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6. Regarding claims 4, 5, 13, and 14,

Molteni discloses indication determining from foreign agent advertisement in the IP packet that the foreign agent is "busy" or not, i.e., that the foreign agent is accepting registration (para. 123).

7. Regarding claims 7, 16, and 28,

Molteni discloses selection criteria that includes mobility agent information (paras. 120 and 129).

8. Regarding claims 9, 19, and 21,

Molteni shows in fig. 2A, block 213, determining if a frame is a beacon.

9. Regarding claim 10,

Molteni shows in fig. 1, APs providing a connection to a network 100.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Trachewsky (US2004/0017794) teaches communication gateway supporting WLAN communications.

Jeong (US2006/0092888A1) teaches proxy active scan for wireless networks.

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Sinivaara (US7020438B2) teaches selection of access point in a wireless communication system

Molteni (US2004/0066759A1) teaches method for a wireless station to determine network metrics prior to associating with an access point of a wireless network.

Wu (US6332077B1) teaches intelligent roaming in AGV application.

Gorsuch (US6526034B1) teaches dual mode subscriber unit for short range, high rate and long range, lower rate data communications.

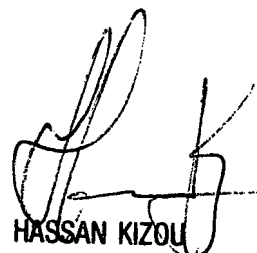
Jeong (US2006/0023686) teaches channel scanning in wireless networks.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Sol whose telephone number is (571) 272-5949. The examiner can normally be reached on M-F 7:30am - 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571) 272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

AMS

4/26/2007

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PTO/SB/08A (10-96)

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/603,859
				Filing Date	June 28, 2003
				First Named Inventor	KAIDAR, Oren
				Group Art Unit	2600
				Examiner Name	Huy Vu
Sheet	1	of	1	Attorney Docket Number	P-5753-US

[illegible][illegible]

Examiner Signature	/Anthony Sol/ (04/25/2007)	Date Considered	04/25/2007
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609 Draw line through citation if not in conformance and not considered Include copy of this form with next communication to applicant

1. Unique citation designation number. 2. See attached kinds of U.S. Patent Documents. 3. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4. For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. 6. Applicant is to place a check mark here if English language translation is attached

Possible Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office Washington DC 20231

Notice of References Cited	Application/Control No. 10/603,859		Applicant(s)/Patent Under Reexamination KAIDAR ET AL.	
	Examiner Anthony Sol		Art Unit 2616	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2004/0066757	04-2004	Molteni et al.	370/329
*	B	US-2004/0017794 a1	01-2004	Trachewsky, Jason A.	370/338
*	C	US-2006/0092888 a1	05-2006	Jeong et al.	370/338
*	D	US-7,020,438 b2	03-2006	Sinivaara et al.	455/41.2
*	E	US-2004/0066759 a1	04-2004	Molteni et al.	370/329
*	F	US-2005/0009565 a1	01-2005	Kwak, Joseph A.	455/561
*	G	US-6,332,077 b1	12-2001	Wu et al.	455/432.1
*	H	US-6,526,034 b1	02-2003	Gorsuch, Thomas E.	370/338
*	I	US-2006/0023686 a1	02-2006	Jeong et al.	370/338
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.